



# Department of Justice

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Western District of Kentucky

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## **GRAND JURY RETURNS SUPERSEDING INDICTMENT CHARGING THIRD MAN IN WAL-MART ROBBERY**

### ***Superseding Indictment Alleges Prior Robbery Attempt at Same Wal-Mart, Drug Conspiracy Charge***

LOUISVILLE, KY - A federal grand jury in Louisville returned a superseding indictment naming Brian Sean McClendon, age 30, of Louisville, Kentucky, in Jefferson County, and charging him, along with other individuals known and unknown to the grand jury, with attempted robbery, robbery, brandishing a firearm during and in relation to these crimes of violence and conspiring to possess over 500 grams of cocaine with the intent to distribute, U.S. Attorney David L. Huber of the Western District of Kentucky announced today.

The original Indictment, filed on August 8, 2006, alleges that on or about March 20, 2006, McClendon and others committed the robbery of an employee of an armored car company inside the Wal-Mart Super Center at 3706 Diann Marie Drive and took money belonging to Wal-Mart and that one of the individuals was armed with a 9 mm handgun which was used during the robbery. The Superseding Indictment alleges that prior to the completed robbery on March 20, 2006, McClendon and another man attempted to rob an employee of the armored car company inside the same Wal-Mart Super Center on March 13, 2006, and that on that occasion, one of the individuals was armed with a firearm which was used during the robbery. The Superseding Indictment further alleges that between March 20, 2006, and March 22, 2006, McClendon and others conspired to possess 500 grams or more of cocaine with the intent to distribute the drug.

In the event of a conviction, the maximum potential penalties are life imprisonment, a \$5,000,000 fine, and supervised release for life; and the minimum potential penalties are 37 years imprisonment and supervised release for a period of 8 years.

The case is being prosecuted by Assistant United States Attorney Thomas W. Dyke and it was investigated by the Louisville Metro Police Department and the Federal Bureau of Investigation.

McClendon is scheduled to appear for arraignment before the United States Magistrate Judge on June 19, 2007, at 9:30 a.m., in Louisville, Kentucky.

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The indictment of a person by a Grand Jury is an accusation only and that person is presumed innocent until and unless proven guilty.

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